## TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

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regard to subsection (5), towards the bottom of page 140, Senator, it requires them to maintain their records of contact lenses dispensed to Nebraska residents so that such records are readily retrievable. For how long do they have to maintain those records?

SENATOR BYARS: We haven't put...we haven't put a definite stipulation within statutory language, Senator, on a period of time. We haven't...we didn't put any kind of period of time on there. I'm not sure what's...you know, that would be arbitrary and capricious, I think, on our part to say, well, you should keep records for six months or for six years. I am not...I am not sure what's appropriate within that industry or whether it's appropriate, in this instance, for us to put a specific period of time in there. I am not sure what the actual value would be to our consumers within the state.

SENATOR BEUTLER: The...the only concern I have is that you certainly wouldn't want that provision to be read that they have to keep these records forever, right?

SENATOR BYARS: No, certainly would not.

SENATOR BEUTLER: So, it should be viewed as being a reasonable period of time, would that be your intent?

SENATOR BYARS: Yes, reasonable as you and I both know is all in the eyes of the interpreter but, yes, as you and I would look at reasonable. And, quite honestly, as a provider would keep that information, they would do it, I would think....

SENATOR CUDABACK: One minute.

SENATOR BYARS: ...to behoove their business so that they would have appropriate information when they have a request to fill a prescription.

SENATOR BEUTLER: Right, you'd want to be sure they had it on hand for some period of time. The instate providers, do they currently under rule and regulation have a time period in which they are required to keep their records?